

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA )  
                            )  
v.                        )         06-170  
                            )  
LAWRENCE MCGOWN         )         Criminal No.  
                            )  
                            )         (29 U.S.C. § 501(c))  
                            )

INDICTMENT

The Grand Jury charges:

At all times material to this Indictment:

1. The defendant, LAWRENCE MCGOWN, held the office of Financial Secretary of Paper, Allied-Industrial, Chemical and Energy Workers International Union, AFL-CIO, Local Union 2-74 (hereinafter PACE).

2. PACE was a labor organization engaged in an industry affecting commerce within the meaning of Sections 402(i) and (j) of Title 29, consisting of approximately 305 members employed at Nova Chemicals, Inc., AES Beaver Valley LLC and BASF Corporation.

3. PACE maintained an American Express account for the necessary and ordinary financial needs of the organization.

4. The defendant, LAWRENCE MCGOWN, maintained control and possession of the American Express charge card issued to PACE as the primary cardholder and financial designee, and had the authority to make purchases on the American Express charge card on behalf of PACE for legitimate PACE business purposes.

5. The defendant, LAWRENCE MCGOWN, was not authorized to make purchases using the PACE American Express charge card for his own personal use, for which there was no legitimate union need.

6. As an officer, that is, Financial Secretary, of PACE, the defendant, LAWRENCE MCGOWN, was entitled to seek reimbursement from PACE for any time spent conducting union business during his regular business hours, for which he did not get paid from his regular employer. This so-called lost time reimbursement was paid by PACE for any job time lost to conduct union business.

7. The defendant, LAWRENCE MCGOWN, was entitled to claim lost time reimbursement to complete his duties as the Financial Secretary of PACE only if the duties were performed during hours for which he did not get paid from his regular employer.

8. The defendant, LAWRENCE MCGOWN, was not entitled to request and receive reimbursement from PACE for job time lost to conduct union business for which he was already being paid by his regular employer.

COUNT ONE

9. The matters set forth above at paragraphs one through five are hereby re-alleged and incorporated by reference as though fully set forth herein.

10. During the period from on or about July 1, 2001 through on or about December 31, 2003, in the Western District of Pennsylvania, the defendant, LAWRENCE MCGOWN, while an officer, that is, Financial Secretary, of PACE, AFL-CIO, Local Union 2-74, a labor organization engaged in an industry affecting commerce, did embezzle, steal, and unlawfully and willfully abstract and convert for his own use the money, funds, securities, property and other assets of said labor organization in the amount of \$3,204.77, by making unauthorized personal expense charges on the PACE American Express charge card that was to be used solely for legitimate PACE business purposes.

In violation of Title 29, United States Code, Section 501(c).

COUNT TWO

11. The matters set forth above at paragraphs one, two and six through eight are hereby re-alleged and incorporated by reference as though fully set forth herein.

12. During the period from on or about July 1, 2001 through on or about December 31, 2003, in the Western District of Pennsylvania, the defendant, LAWRENCE MCGOWN, while an officer, that is, Financial Secretary, of PACE, AFL-CIO, Local Union 2-74, a labor organization engaged in an industry affecting commerce, did embezzle, steal, and unlawfully and willfully abstract and convert for his own use the money, funds, securities, property and other assets of said labor organization in the amount of \$2,267.96, by requesting and receiving reimbursement from PACE for job time lost to conduct union business for which he was already being paid by his employer, in order to take unauthorized sums of money from PACE funds.

In violation of Title 29, United States Code, Section 501(c).

A True Bill,

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FOREPERSON

*Mary Beth Buchanan*  
MARY BETH BUCHANAN  
United States Attorney  
PA ID No. 50254